

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tamara York-Tallman, Sui Juris, by special visit and not general appearance, am Agent for Tamara Renee York-Tallman©, with Power of Attorney in Fact to represent Tamara York-Tallman©, Xavier Robert York-Tallman©, Xaphon Montell York-Thomas©, Darvez Montell Thomas©,

File No. 19-cv-3086 (ECT/ECW)

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Plaintiffs,

v.

State of Minnesota,

Defendant.

The Court has received the January 24, 2020 Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright. ECF No. 4. No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 4] is **ACCEPTED**;
2. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and

3. Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 2] is **DENIED AS MOOT**.

Dated: February 11, 2020

s/ Eric C. Tostrud
Eric C. Tostrud
United States District Court